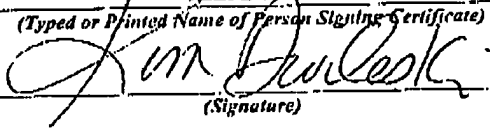


<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. END920030035US1
Applicant(s): Austin et al.			
Application No. 10/661,050	Filing Date 9/11/2004	Examiner Margret R. Wambach	Group Art Unit 2816
Invention: PROGRAMMABLE LOW-POWER HIGH-FREQUENCY DIVIDER			
			RECEIVED CENTRAL FAX CENTER OCT 12 2004
I hereby certify that this <u>Response to Restriction and Preliminary Amendment (19 pages)</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> )			
on <u>10/12/2004</u> (Date)			
<div style="text-align: center;"><u>Kim Dwileski</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</div>			
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P. 02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Austin et al.

Docket No.: END920030035US1

Serial No.: 10/661,050

Art Unit: 2816

Filed: September 11, 2004

Examiner: Margret R. Wambach

Title: PROGRAMMABLE LOW-POWER HIGH-FREQUENCY DIVIDER

**RESPONSE TO RESTRICTION REQUIREMENT  
AND PRELIMINARY AMENDMENT**

Commissioner for Patents & Trademarks  
P. O. Box 1450  
Alexandria, VA 22313-1450

In response to the Restriction Requirement mailed on September 29, 2004, Applicant hereby provisionally elects Group II, claims 10-25, drawn to a frequency divider classified in class 377, subclass 47. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 1-9, drawn to a latch, classified in class 327, subclass 200 and to unelected claims 26-30, drawn to a frequency divider, classified in class 377, subclass 47. With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-30 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the

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merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

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**AMENDMENT**

This paper is being filed in response to the Office Action mailed on September 29, 2004. Applicants request this Amendment be entered in the above-identified application prior to examination of the application on the merits.

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